

24.09.2021
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Ct. No 29
KAUSHIK
(REJECTED)

C.R.M. 6355 of 2021
(via video conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Berhampore** Police Station Case No. **1135** of **2020** dated **04.11.2020** under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re : Siraj Ali & Anr. petitioners

Mr. Debasis Kar
... for the petitioners

Mr. Tapandeb Nandy
Mr. Antarikhya Basu
... for the State

Petitioners seek bail.

Learned advocate appearing for the petitioners submits that, the petitioners are in custody in excess of 320 days. The police submitted charge-sheet and, therefore, further detention of the petitioners is not required.

Learned advocate appearing for the State submits that, commercial quantity of contraband was seized from the joint possession of the petitioner.

Considering that the commercial quantity of contraband was seized from the joint possession of the petitioners and considering that there are no materials to return the finding that the petitioners rebutted the presumption under Section 37 of the NDPS Act, we are unable to grant bail to the petitioner.

Accordingly, prayer for bail is rejected and the application being CRM 6355 of 2021 is disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)